

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In re. ISAAC KELLEY,
Plaintiff.


No. C 09-2462 SI (pr)

ORDER OF DISMISSAL

This action was opened on June 3, 2009, when the court received from Isaac Kelley a letter with some exhibits (including a state court denying a habeas petition) attached. On that date, the court notified plaintiff in writing that his action was deficient in that he had not attached a complaint or petition and had not filed an in forma pauperis application. The court further notified plaintiff that this action would be dismissed if he did not submit a complaint or petition within thirty days. Plaintiff has failed to provide the court with either a complaint or petition and the deadline to do so has passed. Accordingly, this action is DISMISSED without prejudice for failure to submit a pleading showing the court has subject matter jurisdiction. The clerk shall close the file.

IT IS SO ORDERED.

Dated: October 20, 2009


SUSAN ILLSTON
United States District Judge